

Appl. No. 10/005,178
Amendment dated April 7, 2004
Reply to Office Action of March 8, 2004

REMARKS

In the March 8, 2004 Office Action, claims 30-32 stand rejected under 35 U.S.C. §112. On the other hand, claims 2-4, 6-14, 16, 17, 19 and 21-29 were allowed. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the March 8, 2004 Office Action, Applicants have amended claims 24 and 30-32, and added new claim 33 as indicated above. Additionally, Applicants have amended the specification as indicated above. Thus, claims 2-4, 6-14, 16, 17, 19 and 21-33 are pending, with claims 4, 6, 8, 9, 11, 21-24, 27 and 30 being the only independent claims. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Interview Summaries

FEBRUARY 26, 2004 INTERVIEW

On February 26, 2004 (i.e., prior to the March 8, 2004 Office Action), the undersigned conducted a telephonic interview with the Examiner in charge of the above-identified patent application. Applicants wish to thank the Examiner for the courteous interview. Basically, new claims 24-32 of the November 17, 2003 Amendment were discussed during the interview. Agreement was reached during the telephonic interview that the new claims 24-29 were fully supported in the original disclosure (e.g., at page 9, lines 3-7). However, with respect to claims 30-32, a similar agreement could not be reached during the telephonic interview. Thus, Examiner Pickard indicated that an Office Action would be issued. Hence, the March 8, 2004 Office Action was issued.

APRIL 6, 2004 INTERVIEW

On April 6, 2004, the undersigned conducted another telephonic interview with the Examiner in charge of the above-identified patent application. Applicants wish to thank the Examiner for the courteous interview. Basically, the March 8, 2004 Office Action and claims 30-32 were discussed during the telephonic interview. Specifically, the undersigned proposed amending claims 30-32 in a manner similar to as indicated above. Agreement was reached during the telephonic interview that the proposed amendments to claims 30-32 that were discussed during the interview were supported in the specification. In other words, agreement was reached that the proposed amendments to claims 30-32 that were discussed during the interview would overcome the rejection under 35 U.S.C. §112, first paragraph. On

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the other hand, agreement with respect to the allowability of claims 30-32 over the prior art was not reached during the telephonic interview. Examiner Pickard indicated that further consideration and/or search would be required prior to making a determination with respect to the allowability of these claims.

Applicants note that the amendments to claim 30 made by the current amendment are not identical to the proposed amendments that were discussed during the April 6, 2004 interview. Specifically, the undersigned noticed some inconsistencies in proposed claim 30, which have been corrected by the current Amendment. Applicants apologize for any inconvenience.

Specification

Applicants have amended the specification to provide proper antecedent basis for the terminology of claims 24-26 and 30-33 by the current Amendment. Applicants believe that the specification complies with 37 CFR §1.71 and 37 CFR §1.75(d)(1).

Applicants believe that the amendments to the specification are fully supported by the original specification and drawings. Thus, no new matter has been introduced by the foregoing amendments to the specification.

Claims Rejections - 35 U.S.C. §112

In paragraphs 1 and 2 of the Office Action, claims 30-32 stand rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. The Office Action indicates that claims 30-32 contain new matter which does not appear to be described in the specification. More specifically, the Office Action indicates that the dimensional limitations in the last paragraph of claim 30 are considered new matter. The Office Action further indicates that while the specification does disclose a radial seal embodiment, there is no description of a first distance being greater than one-half a second distance. Furthermore, the Office Action indicates that there is no description that would enable one to apply the distance limitations relating to the other embodiment (i.e. the axial seal) to this embodiment to come up with the claimed limitations.

In response, Applicants have amended claims 30-32 to be generic to both embodiments disclosed in the instant application, and utilized limitations in these claims that are clearly supported in the original specification and drawings. The amendments to claim 30 made by the current amendment are not identical to the proposed amendments that were discussed during the April 6, 2004 interview. Specifically, the undersigned noticed some

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inconsistencies in the proposed claim 30, which have been corrected by the current Amendment. Applicants apologize for any inconvenience.

In any case, Applicants believe that the claims now comply with 35 U.S.C. §112, first paragraph. Withdrawal of the rejections is respectfully requested.

Allowable Subject Matter

In paragraph 3 of the Office Action, claims 2-4, 6-14, 16, 17, 19 and 21-29 were allowed. Applicants wish to thank the Examiner for the allowance of these claims and the thorough examination of this application.

In response, Applicants reviewed the allowed claims. Applicants noticed an error in claim 24, which has been corrected by the current Amendment. Specifically, the slope of the annular center section needs to be measured with respect to the contact planes as clearly indicated in the original disclosure (e.g., page 9). Thus, claim 24 has been amended to be more accurate.

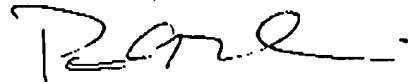
New Claim

New claim 33 has been added by the current Amendment. New claim 33 is directed to an axial face seal, and depends from independent claim 30.

* * *

In view of the foregoing amendments and comments, Applicants respectfully assert that claims 2-4, 6-14, 16, 17, 19 and 21-33 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested. If there are any questions regarding this Amendment, please feel free to contact the undersigned.

Respectfully submitted,



Patrick A. Hilsmier
Reg. No. 46,034

SHINJYU GLOBAL IP COUNSELORS, LLP
1233 Twentieth Street, NW, Suite 700
Washington, DC 20036
(202)-293-0444
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